

# Notice of Allowability

Application No.

10/748,215

Examiner

Bryan Bui

Applicant(s)

OYA, TAKESHI

Art Unit

2863

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/31/2003.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☒ The drawings filed on 31 December 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 2/24/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**DETAILED ACTION**

1. This application has been examined.
2. The IDS submitted on 2/24/2004 has been considered.

***Allowable Subject Matter***

3. Claims 1-22 are allowed.
4. The following is an examiner's statement of reasons for allowance:

Claims 1-22 are allowable over the prior art of record because none of the prior art whether taken singularly or in combination to teach the claimed combination as recited, especially when these limitations are considered within the specific combination claimed, particularly require: a communication device that periodically transmits confirmation information including identification information identifying the monitoring apparatus and the maintenance information managed by the management apparatus; wherein the management apparatus generates monitoring object management information based on a history of transmissions of the confirmation information carried out by the communication control device (claim 1); a generating device that generates monitoring object management information based on a history of transmissions of confirmation information including identification information identifying each of the monitoring apparatuses, and the maintenance information managed thereby, the transmissions being periodically carried by each of the monitoring apparatuses (claim 4); a communication control step of periodically transmitting confirmation information including identification information identifying the monitoring apparatus, and the maintenance information managed by the management, wherein the management

apparatus generates monitoring object management information based on a history of transmissions of the confirmation information carried out in the communication control step (claim 11); a generating step of creating monitoring object management information based on a history of transmissions of confirmation information including identification information identifying each of the monitoring apparatuses, and the maintenance information managed thereby, the transmissions being periodically carried by each of the monitoring apparatuses (claim 14); a communication module that periodically transmits confirmation information including identification information identifying the monitoring apparatus and the maintenance information managed by the management apparatus; wherein the management apparatus generates monitoring object management information based on a history of transmissions of the confirmation information carried out by the communication control module (claim 21); a generating module that generates monitoring object management information based on a history of transmissions of confirmation information including identification information identifying each of the monitoring apparatuses, and the maintenance information managed thereby, the transmissions being periodically carried by each of the monitoring apparatuses (claim 22).

The closest prior art of record (US2003/0204583) discloses operation management system, management apparatus, management method and management program (figure 1), comprising a control unit for realizing a management function through comprehensive process, including computer monitoring apparatus (300), management apparatuses 401-403 or can be integrated in one management apparatus

501), and process respectively by control module (400). The prior art (US20040128376) discloses identifying information creating method, information processing apparatus, computer program product, recording device monitoring method, terminal apparatus management method and communication network system (paragraph 0002). The prior art (US20030188230) discloses operation monitoring apparatus and operation monitoring program storage medium which achieves the operation apparatus to monitor the server connected through the communication line, comprises file storage module having information identifying a file to be accessed for operation monitoring (paragraphs 0009, 0012).

In combination with other limitations of the claimed invention, none of the prior art discloses or suggest the claimed combination as recited in the current application as set forth above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Bui whose telephone number is 571-272-2271. The examiner can normally be reached on M-Th from 7am-4pm, and Alternate Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BB

6/03/2005

**BRYAN BUI**  
**PRIMARY EXAMINER**

